

REMARKS

The Office Action of **August 14, 2002** has been received and its contents carefully noted. Applicant would like to thank the Examiner for the consideration given the present application and for allowing claims 4, 5 and 8 over the prior art. Although no indication was given, it appears that claims 2 and 3 are also allowable if amended to overcome the formal objection made by the Examiner, which Applicant has done. Applicant respectfully submits that this response is timely filed and fully responsive to the Office Action.

Claims 2-8 are currently pending in the subject application. By the above actions, claims 2, 3, 6 and 7 are amended. Accordingly, claims 2-8 remain pending and are believed to be in condition for allowance at least for the reasons advanced hereinbelow.

A. Information Disclosure Statement

Applicant respectfully requests that the Examiner provide evidence of his consideration of the Information Disclosure Statement filed January 16, 2001 by providing an initialed copy of the Form PTO-1449.

B. Claim Objections

Claims 2 and 3 are objected to by the Examiner as allegedly containing informalities. By the above actions, claim 2 is amended so that the phrase "is not larger than 75%" recites "is less than 75%" while claim 3 is amended so that the phrase "does not exceed 75%" recites "is less than 75%." Accordingly, withdrawal of the objection is respectfully solicited.

C. 35 U.S.C. 103 Rejections

Claim 6 stands rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 4,051,777 to Black in view of U.S. Patent No. 3,843,974 to Miller et al. (hereinafter "Miller") and allegedly Applicant's Admitted Prior Art, and claim 7 stands rejected under 35 U.S.C. §103(a) as unpatentable over Black in view of U.S. Patent No. 5,019,202 to Kawahata et al. (hereinafter "Kawahata"). Applicant respectfully contends that the claimed invention as presently amended is clearly patentably distinct over the Wang patent for at least the reasons advanced below.

The claimed invention in accordance with claim 6 as presently amended is directed generally to a stencil printer comprising a diaphragm pump including a diaphragm composed of a material whose swelling ration to the ink is not larger than 1.05, wherein the maximum stress applied to the diaphragm during operation of the diaphragm pump does not exceed 75% of the elastic limit of the diaphragm.

The claimed invention in accordance with claim 7 as presently amended is directed generally to a stencil printer comprising an ink supply pump for ultraviolet curing ink, the ink supply pump being in the form of a diaphragm pump configured so that the maximum stress applied thereto during operation does not exceed 75% of the elastic limit of the diaphragm pump.

The Proposed Black Modifications Fail to Disclose Claims 6 and 7

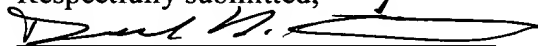
Applicant respectfully contends that Black, either alone or in combination with the Miller or Kawahata, fails to expressly teach or inherently suggest all the limitations of claims 6 and 7 as

presently amended. Specifically neither Black, Miller nor Kawahata discloses a stencil printer comprising a diaphragm pump having a diaphragm wherein the maximum stress applied to the diaphragm during operation of the diaphragm pump does not exceed 75% of the elastic limit of the diaphragm, as presently set forth in claim 6. The aforementioned references also lack a stencil printer comprising a diaphragm pump configured so that the maximum stress applied thereto during operation does not exceed 75% of the elastic limit of the diaphragm pump, as presently set forth in claim 7. Accordingly, the proposed combination of references fail to render claims 6 and 7 *prima facie* obvious. Withdrawal of the rejection is respectfully solicited in view of the foregoing remarks.

Conclusion

Accordingly, Applicant respectfully contends that the claimed invention defines subject matter that is clearly patentably distinct over the prior art of record. It is respectfully requested that the rejection be withdrawn. If the Examiner believes further discussions with Applicants' representative would be beneficial in this case, he is invited to contact the undersigned.

Respectfully submitted,



Donald R. Studebaker

Registration No. 32,815

NIXON PEABODY LLP
8180 Greensboro Drive, Suite 800
McLean, VA 22102
(703) 770-9300

MARKED UP VERSION

2. (Amended) A stencil printer as defined in Claim 8 in which the drive assembly is configured to stop in a position where the stress applied to the diaphragm of the diaphragm pump is [not larger] less than 75% of the elastic limit of the diaphragm.
3. (Amended) A stencil printer as defined in claim 8 in which the drive assembly is configured such that the maximum stress applied to the diaphragm during operation of the diaphragm pump [does not exceed] is less than 75% of the elastic limit of the diaphragm.
6. (Amended) A stencil printer comprising an ink supply pump in the form of a diaphragm pump, said diaphragm pump including a diaphragm [in which the diaphragm is] composed of a material whose swelling ration to the ink is not larger than 1.05, wherein the maximum stress applied to the diaphragm during operation of the diaphragm pump does not exceed 75% of the elastic limit of the diaphragm.
7. (Amended) A stencil printer comprising an ink supply pump for ultraviolet curing ink, said ink supply pump being in the form of a diaphragm pump configured so that the maximum stress applied thereto during operation does not exceed 75% of the elastic limit of the diaphragm pump.